

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION
Fountain Square
Columbus, Ohio 43224

APPLICATION FOR AN INCIDENTAL BOUNDARY REVISION

(File in Quadruplicate)

1. Permittee's Name The Ohio Valley Coal Company Phone # (614) 926-1351
2. Address 56854 Pleasant Ridge Road Zip Code 43902
Alledonia, Ohio
3. Coal Mining Permit # D-0360
4. Additional acres to be mined 1.1
5. Has this acreage been mined? Yes , No x
6. Describe the reason this additional acreage is required.
Ventilation/Haulage of coal
7. Describe the activities to be conducted on this area.
Ventilation/Haulage
8. Is the information contained in the previously approved permit application applicable to this revised area? Yes x, No .
If "no", describe any changes to the previously approved permit application that will apply to this revised area.

ORIGINAL

(continued on reverse side)

RECEIVED

FEB 23 1985

DIVISION OF
RECLAMATION

C.(8)(b) Provide either of the following to allow for coal mining operations within the underground workings:

- (i) A copy of the documents, or
- (ii) An affidavit wherein the documents are described. For all documents or affidavits provided for the underground workings, the specific parcels are to be identified on the application map.

AFFIDAVIT

State of Ohio, Belmont County, ss. David L. Bartsch being first duly sworn, says that the following described documents convey to the applicant the legal right explained below and is a subject of litigation as shown below.

Type of document Warranty Deed

Execution Date December 29, 1970

Expiration Date -

Parties: From The North American Coal Corporation To The NACCO Mining Company (now OVCC)

Description of land: No. Acres

County Belmont Township Smith

Sections 15 Lots

Parcel # 31

Explanation of legal rights claimed See Addendum to Page 10, C(8)(b),

Item 1

Pending litigation Yes, x No.

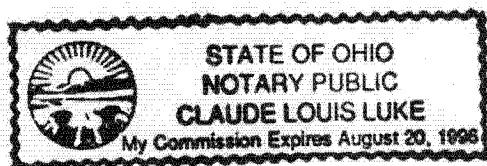
David L. Bartsch
Signature of Affiant Date Jan 17, 1995

Permit Administrator
Position

Sworn before me and subscribed in my presence this

17th day of JAN., 1995.

Claude Louis Luke
Notary Public





copy

George V. Voinovich • Governor
Frances S. Buchholzer • Director

February 14, 1995

Ohio Valley Coal Company
56854 Pleasant Ridge Road
Alledonia, OH 43902

Gentlemen:

Your incidental boundary revision (I.B.R.) on Permit D-0360 for 1.08 (1.1) acres was received on January 30, 1995. The IBR has been judged incomplete.

Upon receipt of the following information processing will continue.

- ✓ 1. Item #4: Revise the acreage to the nearest tenth (1.1).
- ✓ 2. Item #9: List the mineral owner.
- ✓ 3. Map: The map indicates that there are 1.4 acres. Revise where necessary for consistency.
- ✓ 4. Provide a map to show the area in relation to the underground mine.

Any additional or revised documents must be submitted in quadruplicate.

If you have any questions, please contact me at (614) 265-6662.

Sincerely,

Joyce Schramm

Joyce Schramm
Permits & Processing Section
Division of Reclamation

*Received
2/23/95*

JS:jl

cc: St. C. District Office

The Ohio Valley Coal Company
Powhatan No. 6 Mine
Addendum to Page 10, C(8)(b)

Deed Rights to Tract 31

Mining Rights: Party of Second part to have the free and uninterrupted right of way into and under said land, at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal (hereby waiving all surface damages or damages of any sort arising therefrom or from the removal of all of said coal), together with the privilege of mining and removing through said described premises, other coal belonging to said party of the Second part, its successors and assigns, or which may hereafter be acquired.